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DATE: January 3, 2002

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Name: Special Programs Examiner Pinchus M. Laufer
Company/Firm: United States Patent and Trademark Office
Telecopier No.: (703) 305-8266
Client/Matter No.: CRTW-0004 (U.S. Patent Application No. 09/676,448)
Sender's Name: George J. Awad
Pages to Follow: 14

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COVER MESSAGE: Examiner Laufer, Further to our conversation this morning, attached please find a copy of the As-Filed "Request for Reconsideration of Petition For Accelerated Examination Under M.P.E.P. § 708.02 (VIII)" filed on November 13, 2001. If you would be so kind, please review. Should there be any additional information that you might require, please contact me. Thank you for you time and help on this matter. Regards,
George J. Awad

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November 13, 2001

GEORGE J. AWAD

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VIA FACSIMILE

Mr. Pinchus M. Laufer
Special Programs Examiner
Technology Center 2100
Computer Architecture, Software, and Electronic Commerce
United States Patent and Trademark Office
Washington, DC 20231

In re Application of : Shawn Cartwright

Application No. 09/676,448

Filed: September 29, 2000

**For: SYSTEM AND METHODS FOR OBTAINING ADVANTAGES
AND TRANSACTING THE SAME**

**Request for Reconsideration of Petition For Accelerated
Examination Under M.P.E.P. § 708.02 (VIII)**

Dear Examiner. Laufer,

Enclosed, please find an request for reconsideration of the currently denied Petition For Accelerated Examination for the above-referenced matter. The Petition has been amended in light of Examiner's rejection to remedy any and all deficiencies. The Applicant respectfully requests a reconsideration of and a favorable ruling for the submitted Amended Petition to Make Special. Should you have any questions or concerns, please do not hesitate to contact. I look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read 'George J. Awad', enclosed within a hand-drawn rectangular box.
George J. Awad

Enclosures:

WOODCOCK WASHBURN LLP

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DOCKET NO.: CRTW-0004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Shawn Cartwright

Serial No.: 09/676,448

Group Art Unit: 2161

Filing Date: September 29, 2000

Examiner: Calvin L. Hewitt, II

For: **SYSTEM AND METHODS FOR OBTAINING ADVANTAGES AND
TRANSACTIONING THE SAME**

Certificate of Facsimile Transmission

I hereby certify that this paper is being facsimile transmitted to the Special Examiner Pinchus M. Laufer at (703) 305-8266 on the date shown below

November 13, 2001


George J. Awan Reg. No. 46,528

Special Programs Examiner Pinchus M. Laufer
Technology Center 2100
Computer Architecture, Software, and Electronic Commerce
Washington DC 20231

Sir:

PETITION FOR ACCELERATED EXAMINATION
(37 CFR 1.102 and MPEP § 708.02 (VIII))

Applicant hereby requests reconsideration of the currently denied Petitions To Make Special.

1. **Accompanying material**

Accompanying this request:

- (a) An amended Petition to Make Special included therein a statement to correct outstanding deficiencies. Specifically, a statement that Applicant believes that all claims are presented to a single invention. In the event that the Office determines that all claims are not obviously directed to a single invention, Applicant will make an election

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- 2 -

PATENT

without traverse.2. **Fee (37 CFR 1.17(i))**

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November 13, 2001


George J. Alwad
Registration No. 46,528

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DOCKET NO.: CRTW-0004**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****In Re Application of: Shawn D. Cartwright****Serial No.: 09/676,448****Group Art Unit: 2161****Filing Date: September 29, 2000****Examiner: Calvin L. Hewitt, II****For: SYSTEM AND METHODS FOR OBTAINING ADVANTAGES AND
TRANSACTIONING THE SAME*****Certificate of Facsimile Transmission******I hereby certify that this paper is being facsimile transmitted to the
Special Examiner Pinchus M. Laufer at (703) 305-8266 on the date
shown below.******November 13, 2001***

Special Programs Examiner Mr. Pinchus M. Laufer
Technology Center 2100
Computer Architecture, Software, and Electronic Commerce
United States Patent and Trademark Office
Washington, D.C. 20231

Dear Sir:

**RECONSIDERATION FOR PETITION TO MAKE APPLICATION SPECIAL
UNDER 37 C.F.R. 1.102(d) and M.P.E.P. 708.02(VIII)**

Remarks

The Special Examiner has denied the current Petition To Make Special as being deficient for failing to meet M.P.E.P. § 708.02 (VIII) (b). Specifically, Examiner states that Applicant failed to include a statement in the originally filed Petition To Make Special that states that the Applicant believes all claims are presented to a single invention and the Applicant will make an election without traverse if the Office determines that all claims are not obviously directed to a single invention. Applicant offers the amended Petition To Make Special included therein the

- 2 -

DOCKET NO.: CRTW-0004

PATENT

required statement as prescribed in M.P.E.P. § 708.02 (VIII) (b). Accordingly, Applicant respectfully requests reconsideration of and a favorable ruling for the Petition in light of the proposed amendment.

Amended Petition To Make Special

Applicant respectfully request pursuant to 37 C.F.R. 1.102(d) and M.P.E.P. 708.02(VIII), that this application be advanced out of turn for examination. *Applicant believes that all claims are presented to a single invention. In the event that the Office determines that all claims are not obviously directed to a single invention, Applicant will make an election without traverse.*

The undersigned authorized a patentability search by Lacasse and Associates. According to Mr. Lacasse's search report, the following subclasses (including the available foreign references and publications) were manually searched: Class 463, Subclasses 29 and 42, Class 705, Subclasses 27, 34, 52, 54, 56, 59 and 77. If any fees result from this filing, please charge all fees to my Deposit Account No. 23-3050.

The following detailed discussion of the references listed on the attached Form PTO-1449 points out how the claimed subject matter is distinguished over the references. One copy of each of the references listed on the Form PTO-1449 [is submitted herewith] has been submitted previously.

The present invention as recited in each of Applicant's independent claims, provides a system and method for creating, integrating and transacting the advantages. As explained below in greater detail, the patents and other reference materials discussed herein and cited on the Form PTO-1449 lack any disclosure or suggestion of such a system or methods. The system and methods of the present invention allows advantages providers to create, integrate, and transact advantages with participating users in non-computing, partial-computing, and computing environments. An advantage can generally be considered a desired feature and/or element in a

DOCKET NO.: CRTW-0004**PATENT**

given environment which one is not entitled to have.

The present invention operates independently of the type of advantage. As such participating advantages providers are afforded extreme flexibility to create various advantages to be offered in a particular environment or a hybrid of environments. In a preferred embodiment, the present invention may be realized as a computing application or features of a computing application that allow users to create, integrate, and transact advantages in existing computing, partial computing, or non-computing based applications. Comparatively, the listed references do not provide systems and methods that allow for the creation, integration, and transaction of advantages within non-computing, partial computing, and computing environments.

The present invention is novel when compared to existing systems and methods that offer desired environment features and/or elements. For example, there are a number of Web pages (as listed in the accompanying PTO-1499 form) that provide computing game advantages to participating users. None of these references, however, appear to provide these advantages outside of the computing environment or particularly outside of the computing game context. These advantages are directed to extended game play time and extended game features (e.g. extra ammunition, extra time, superior skills, or overcoming a challenge within the game at the time the challenge is encountered (e.g. Gameshark.com, Cheat Codes 2000, Cheatcc.com, and GameSages). In comparison, the present invention supports a wide spectrum of advantages, not just focused on the computing game environment. For example, in the context of the computing game environment, the present invention may offer game resources, advances in game character capabilities, and hints to navigate a particular part of the game, etc. Furthermore, the present invention is available to participating users throughout a participating user's environment, not only when needed to overcome a challenge. The most important distinction that exists between the present invention and the referenced Web pages is that the present invention affords advantage providers the ability to integrate the advantage in the participating user's environment. With this ability, users are no longer relegated to independently find and

- 4 -

DOCKET NO.: CRTW-0004**PATENT**

ferret out advantages that they, themselves, would be required to integrate within their environments.

For example, if a participating user employed the services offered in the above-described Web pages, the participating user would be required to search for a desired advantage, retrieve the desired advantage (e.g. game cheat code), and implement the desired advantage him/herself in his/her environment (e.g. input the cheat code into the game). This requires the participating user to expend a great deal of resources in obtaining and integrating the desired advantage. Comparatively, the present invention offers the advantage as an integrated environment feature and/or element within a participating user's environment, rendering the advantage procurement and implementation process much easier. By using the present invention, a participating user is required only to decide if he/she would like to transact an integrated advantage. In sum, these Web page references lack any disclosure or suggestion of a comprehensive system and methods to obtain and transact advantages outside of the computing game context, and more importantly, that provides advantages already integrated within a participating user's environment.

Additionally, the present invention is novel when compared to issued U.S. Patents.

U.S. Patent No. 5,497,479 (Hornbuckle) discloses a system and method for renting, remotely controlling and monitoring the user of computer software while deriving customer user and billing information. The system is automated and is adaptable to support functions directed to the rental of video game software. However, this patent does not address the creation, integration, and transaction of desired features within a software application. Moreover, this patent is directed only to distributing and transacting software applications without any reference to the procurement and transaction of non-computing elements.

U.S. Patent No. 5,907,617 (Ronning) discloses a system and method for gathering data related to usage of software programs sampled by a potential purchaser or other user of the

- 5 -

PATENT**DOCKET NO.: CRTW-0004**

programs. Furthermore, when a user submits a request to purchase software programs and provides any required information, such as a credit card number, the system distributes an unlocked copy of the digital information to the user. Unlike, the present invention, which is directed to the procurement and transaction of advantages (e.g. elements or features) within an environment, the Ronning patent is directed to the transaction of entire environments (i.e. entire software applications).

U.S. Patent No. 6,014,651 (Crawford) discloses an online service, which provides downloading a plurality of software applications (e.g. video games, etc) that are stored on host-provided virtual storage, thus allowing users the ability to try the software on a pay as you go basis. The service provides renting, purchasing, automated billing of software usage. The Crawford patent, however, is dissimilar to the present invention as it is exclusively directed to the computing environments. Further, Crawford only contemplates the distribution of a list of software, without regard to integrating the distributed software within the participating user's environment such that the participating user can choose within their environment to take obtain a desirable feature or environment variable (i.e. to obtain an advantage).

U.S. Patent No. 6,067,582 (Smith) discloses a system and method for distributing software applications, providing secure billing/user information over a computer network and collecting payment therefore. Additionally, billing information is disclosed as any variety of finance related numbers or forms of electronic commerce, thereby allowing software installers the ability to track individual user of the software application. The Smith patent is unlike the present invention since the Smith patent does not disclose elements that allow for the real time billing of software distribution within a software application.

U.S. Patent No. 5,166,886 (Monlar) discloses a system for extended trial use of computer programs before they are purchased by participating users. The system distributes these programs in their entirety, or virtual entirety using a communications network. As such, the system provides participating users the opportunity to purchase programs before or after they

- 6 -

PATENT**DOCKET NO.: CRTW-0004**

try the computer programs. Unlike the present invention, the Monlar system is directed to the distribution of software applications in their entirety. The present invention contemplates the integration of a desired environment feature and/or element to participating user, not entire environments.

U.S. Patent No. 5,625,690 (Michel) discloses a system to distribute entire software applications wherein the software becomes operable upon proper verification by a participating user (i.e. the distributed software is encrypted and must be decrypted using a key each time it is run). The system further provides a way for the participating user to obtain and transact the required key. The present invention is dissimilar to the Michel system and methods in that it does not focus exclusively the distribution of features in the computing environment.

U.S. Patent No. 5,708,709 (Rose) discloses a system and method to distribute licensed files over a distributed computer system. The Rose system and methods do not disclose or suggest the novel aspects of the present invention. Particularly, the present invention contemplates a system and methods that provide participating users desired features (and not licensed computer files) that are integrated within the participating users' environment. The environments supported by the present invention need not be computing environments exclusively.

U.S. Patent No. 6,036,601 (Heckel) discloses a non-interactive method of advertising within a Internet-based game screens, that does not interrupt the playing of the game, while exposing the user to intended advertisements. These advertisements may be directed to participating users based on demographic information and the advertisement exposures tracked using statistical techniques to determine the efficacy of the displayed advertisements. Unlike the present invention, Heckel contemplates static advertisements. The present invention provides for interactive environment features and/or elements (including advertisements) that participating users may interact with to obtain the desired environment feature and/or element.

- 7 -

DOCKET NO.: CRTW-0004

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These patents lack any disclosure or suggestion of a system or methods that provide integrated advantages (i.e. desired environment features and/or elements) that may be transacted in real time in non-computing, partial computing, and computing environments. Applicant's specification lists a number of advantages directed to the creation, integration, and transaction of advantages. First, the present invention contemplates the procurement and transaction of integrated advantages within various computing, partial computing, and non-computing user environments. Second, the transaction occurs in real time providing instantaneous tracking of advantages usage. This information may be subsequently used to offer targeted advantages thereby enhancing a participating user's overall environment experience. Further, the systems and methods of the present invention are adaptable to accommodate almost any advantage offered by advantage providers. In comparison, users, today, are relegated to seek out desired features and environment elements (i.e. to obtain advantages) through a piece-meal process thereby expending valuable resources. Moreover, with existing systems, the user is often left to integrate the advantage by him/herself further expending valuable resources. The present invention provides integrated advantages thereby obviating this concern. Further, current environment feature providers (e.g. cheat code Web sites) are left to implement independent transaction systems to bill and collect for the advantages provided. The present invention seeks to alleviate this shortcoming by providing a comprehensive transaction system that charges participating users for advantages usage, in real-time, and tracks and collects for the advantages (i.e. desired environment features and elements) provided.

For all of the foregoing reasons, Applicant respectfully submits that the claimed subject matter is patentable over the prior art.

Respectfully Submitted,

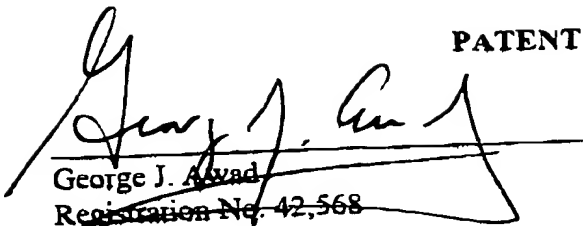
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PATENT


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Sheet 1 of 2

Form PTO-1449 Modified List of Patent and Publications Cited by Applicant (Use several sheets if necessary) U.S. Department of Commerce Patent and Trademark Office	Docket No. CRTW-0004	Serial No. 09/676,448
	Applicant Shawn D. Cartwright	
	Filing Date September 29, 2000	Group Not Yet Assigned

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	AA	GameShark Webpage, "About GameShark," InterAct Accessories, Inc., Copyright © 2000, June 14, 2000, 3 pages
	AB	Cheat Codes 2000 Webpage, "Cheat Codes 2000: Main Index," Copyright © 1994-2000, Yahoo! Inc., June 12, 2000, 1 page
	AC	Cheatcc.com Webpage, "Cheat Codes," Copyright © 1994-2000, Yahoo! Inc., June 12, 2000, 2 pages
	AD	GameSages Webpage, "GameSages - The Cure for the Common Code," Snowball.com, Inc., Copyright © 2000, June 12, 2000, 4 pages
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